



1FW  
RCE

# REQUEST

FOR

## CONTINUED EXAMINATION (RCE)

### TRANSMITTAL

Application Number

10/567,611

Filing Date

May 29, 2007

First Named Inventor

Hans-Gunter BENNER

Group Art Unit

2856

Examiner Name

Shabman, Mark A

Attorney Docket Number

502901-357PUS

Subsection (b) of 35 USC §132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995. See The American Inventors Protection Act of 1999 (AIPA).

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

Note: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000 applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (April 11, 2000), which established RCE practice.

#### 1. Submission required under 37 C.F.R. § 1.114

##### a. ☐ Previously submitted

i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on . (Any unentered amendment(s) referred to above will be entered).

ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on

iii. ☐ Other

##### b. ☒ Enclosed

i. ☒ Amendment/Reply

ii. ☐ Affidavit(s)/Declaration(s)

04/27/2009 CCHAU1 00000021 10567611

iii. ☐ Information Disclosure Statement (IDS)

01 FC:1801

810.00 OP

iv. ☐ Other:

#### 2. Miscellaneous

a. ☐ Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of months. (Period of suspension shall not exceed three months; Fee under 37 C.F.R. § 1.17(f) required)

b. ☐ Other

#### Fees

3. The RCE fee under 37 C.F.R. 1.17(e) is required by 37 C.F.R. 1.114 when the RCE is filed.

a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No.: 03-2412.

i. ☒ RCE fee required under 37 C.F.R. § 1.17(e), if not already paid by check

ii. ☒ Extension of time fee (37C.F.R. §§ 1.136 and 1.17), if not already paid by check

iii. ☐ Small Entity Status is being claimed for this application.

vi. ☐ Other

b. ☒ Check in the amount of \$1,300 (\$810 for filing fee and \$490 for extension fee) is enclosed.

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Alfred W. Froeblich	Registration No. (Attorney/Agent)	38,887
Signature	<i>Alfred W. Froeblich</i>	Date	April 23, 2009

### CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, Mail Stop RCE, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on: April 23, 2009

Name (Print/Type)	Alfred W. Froeblich	Date	April 23, 2009
Signature	<i>Alfred W. Froeblich</i>		